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Report of the Secretary-General on the United Nations Office in Burundi

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2090 (2013), in which the Council extended the mandate of the United Nations Office in Burundi (BNUB) and requested the Secretary-General to inform it of progress in implementing the mandate of BNUB, as assessed against the benchmarks jointly agreed with the Government of Burundi, with a view to determining the future evolution of BNUB into a United Nations country team presence. The present report provides an update since the previous report of 18 January 2013 (S/2013/36), and is structured around eight benchmarks and the findings of the strategic assessment mission, which was conducted in Burundi pursuant to resolution 2090 (2013). In the annex to the present report, baselines and indicators of progress are reviewed in additional detail.

II. Progress in peace consolidation

A. Democratic process

2. During the reporting period, Burundi made important strides towards more open and inclusive political dialogue. The return of key opposition leaders and their inclusion in formal meetings that led to the adoption of several consensual political frameworks were notable developments. However, the adoption of a number of restrictive laws and ongoing intimidation, harassment and violent attacks by youths affiliated with political parties contributed to decreasing political space and limited the ability of opposition actors to exercise their political freedoms ahead of the 2015 elections. Government efforts to push through a wide-ranging and controversial revision of the Constitution further fuelled tensions.

3. In a positive development regarding political dialogue, BNUB, in close collaboration with the Government, organized and hosted a workshop on electoral lessons learned in Bujumbura from 11 to 13 March, in which representatives of major political parties and other actors were brought together for the first time since the 2010 elections. The participation of several opposition politicians who had returned from exile for the occasion, such as Alexis Sinduhije of the Mouvement pour la solidarité et le développement (MSD) and Pascaline Kampayano of the

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Union pour la paix et le développement (UPD), signalled a thaw in the relationship between the Government and the extraparliamentary opposition. The workshop was also attended by former Presidents of Burundi, Domitien Ndayizeye and Sylvestre Ntibantunganya. The former leader of the Forces nationales de libération (FNL), Agathon Rwasa, and the former UPD presidential candidate, Léonard Nyangoma, were represented by their spokespersons. The main objective of the workshop was to draw lessons from the 2010 elections and chart a course for the 2015 elections. A 42-point consensual electoral road map was agreed at the meeting, covering aspects of the legal framework for the elections; the creation of a security environment that protects political actors and facilitates their activities; and the management and conduct of the elections. In October, the President of Burundi, Pierre Nkurunziza, endorsed the road map and stressed the commitment of the Government to implementing all of its recommendations.

4. Against the backdrop of the successful workshop on electoral lessons learned, the Government organized, in partnership with the United Nations, a follow-up workshop in Kayanza from 22 to 24 May, again with inclusive participation, in order to accelerate the revision of the 2009 electoral code. Participants reached consensus on 22 out of 23 amendments to the 2009 electoral code proposed by the Independent National Electoral Commission. The new draft electoral code contains important provisions, including on the use of a single ballot paper and on combining the presidential, legislative and communal polls, seen by Burundian political actors as essential to increasing transparency and preventing election fraud.

5. Following the returns of Ms. Kampayano and Mr. Sinduhije, Mr. Rwasa, who contested the 2010 elections for FNL, re-entered political life on 6 August 2013 after three years in hiding. His return leaves Mr. Nyangoma, the head of the Conseil national pour la défense de la démocratie (CNDD), as the only major opposition leader who has not yet returned to Burundi. Just days after the return of Mr. Rwasa, on 13 August 2013, the chiefs of the Congolese Tutsi community in Burundi filed a complaint against him with the Chief Prosecutor for his alleged involvement in the massacre of 166 Congolese Banyamulenge in Gatumba in 2004, an accusation that he has denied. On 14 August, he was expelled by the FNL executive bureau, which accused him of destabilizing the party. On 20 October, the new FNL President, Jacques Bigirimana, was elected during an ordinary congress held in Bujumbura. However, Mr. Rwasa continues to dispute his expulsion and to claim the leadership of FNL.

6. A workshop held in Bujumbura from 27 to 29 November to assess progress in implementing the electoral road map showed that mistrust between the Government and the opposition remained a persistent challenge. The participants, which included political parties and actors, as well civil society organizations and national and international non-governmental organizations, adopted a series of recommendations to speed up implementation of the road map, including an agreement to organize consultations on the constitutional review process; the organization of periodic meetings among political parties and actors; and the creation of an inclusive mechanism to facilitate consultation between the Independent National Electoral Commission and political parties and other actors throughout the preparatory phase of the elections. On 11 October, the Commission held its first meeting with political parties. However, the regular dialogue mechanism requested by the opposition political parties has yet to be established.

7. The issue of the eligibility of President Nkurunziza to run for a third term in the 2015 elections led to a sharp diversion of views between the ruling party and the opposition. On 7 September, at an event marking the third anniversary of the ruling party's election victory, the President of the Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD), Pascal Nyabenda, declared that President Nkurunziza had served only one term in office through direct suffrage, having been elected by the population only in 2010. His statement drew reactions from opposition leaders, who argued that another mandate for President Nkurunziza would be a violation of the Constitution and the 2000 Arusha Peace and Reconciliation Agreement for Burundi (hereinafter, "Arusha accords"). On 12 September, the CNDD-FDD Spokesperson, Onésime Nduwimana, reiterated the same position and noted that the Constitutional Court would decide on disagreements about the interpretation of legal instruments.

8. Opposition and civil society activists continued to complain about being prevented from exercising their political rights and freedoms by the Imbonerakure, the youth wing of the ruling party. During the period under review, BNUB documented 50 such politically motivated acts involving Imbonerakure members, including intimidation, violence, disruption of political meetings and physical assaults. There were also complaints that Imbonerakure members were typically not arrested or, if detained, were immediately released following the intervention of local authorities. On one notable occasion, members of the Imbonerakure paraded in military gear in Ngozi on 7 September during the celebrations of the third anniversary of the ruling party's election victory. On 8 May, the President of the Sahwanya-Front pour la démocratie au Burundi (Sahwanya-FRODEBU) and the Alliance démocratique pour le changement-Ikibiri (ADC-Ikibiri) called on members of his party's youth wing to respond in kind to violent acts from the Imbonerakure. Meanwhile, the President of the Imbonerakure declared that CNDD-FDD did not endorse violent acts and called upon the judiciary to individually punish those who violated the law. However, his assertion was disputed by others, including the President of the Union pour le progrès national (UPRONA), who said that those were not acts committed by individuals since the Imbonerakure were often accompanied or protected by local administrators or the Burundian National Police. On 7 September, the President of CNDD-FDD called on the Imbonerakure to rid the movement of members who tarnish the name of the group and stressed the need for the Imbonerakure to respect members of other political parties. However, tensions between youth groups remained high, as on 6 October when over 100 members of the Imbonerakure clashed with over 50 MSD youth supporters in Gihanga Commune, Bubanza Province, during a morning workout exercise, leaving three Imbonerakure and two MSD members severely injured.

9. In the light of continuing acts of political violence, BNUB organized meetings with leaders of youth movements affiliated with the main political parties who unanimously agreed on the need to hold an inclusive workshop to develop a code of conduct that would address election-related violence. Youth-related violence remains a highly sensitive issue and requires urgent action, particularly in the lead-up to the 2015 elections.

10. During the reporting period, several pieces of legislation were passed limiting the exercise of political rights and freedoms, including the Media Law and the Law on Public Gatherings, which were promulgated on 4 June and 5 December, respectively. The former was widely condemned by national and international

actors, who expressed serious concerns over some provisions having the potential to undermine freedom of expression, thereby running counter to international human rights standards and instruments of which Burundi is a signatory. Among the causes for concern was the obligation for journalists to reveal their sources in certain situations, as well as fines imposed for press offences. The Law on Public Gatherings constitutes another infringement on political rights and freedoms since it limits, for instance, the duration of public demonstrations to one day, and makes organizers of public meetings directly responsible for any infractions of the law during such gatherings by any person present. It also allows authorities to send a delegate to monitor all public meetings and demonstrations and to interrupt or cancel the activity if they determine that there is a risk to public order. Amid criticism from non-governmental organizations in Burundi, a 2012 draft law regulating the activities of non-profit organizations was not adopted by the National Assembly in 2013.

11. In a similar vein, and underlining the persistent fragility of Burundi's political landscape, efforts by the Government to revise the 2005 Constitution without broad-based consultations led to significant political tensions and raised fears among opposition parties of an authoritarian turn in the country. On 9 and 10 October, the Council of Ministers discussed and adopted a draft law to revise the 2005 Constitution, citing the need to harmonize the Constitution with the draft electoral code, as well as the Treaty for the Establishment of the East African Community. The draft Constitution eliminates requirements for qualified majorities for most decisions of Parliament, allows the ruling party to appoint judicial, military and high civilian officials without Senate approval and creates a post of Prime Minister, replacing one of the Vice-Presidents while retaining one Vice-President of a different ethnicity than the President. Draft provisions would also lower the parliamentary majority required to appoint members to the election and human rights commissions, from 75 to 51 per cent, thereby increasing their dependence on the Government.

12. Opposition parties, civil society and religious actors immediately denounced the absence of consultations and argued that the draft Constitution would cement the power of the ruling party and fundamentally alter the ethnically based power-sharing balance and principles enshrined in the Arusha accords, which ended a long history of devastating and divisive ethnic conflict in the country. On 19 October, UPRONA and FRODEBU-Nyakuri, both represented in the Government and Parliament, called upon members of Parliament not to vote for the constitutional changes in their current form, while on 31 October, the President of FNL and the Union des partis de l'opposition extra-parlementaire (UPO), called for a consensual revision of the Constitution. On 24 November, the ADC-Ikibiri coalition issued an ultimatum to the Government to open the process to consultations within 14 days, threatening to stage mass demonstrations if the demand were not met. On 6 December, in a rare public statement, the Conference of Catholic Bishops issued a communiqué also calling for inclusive and genuine dialogue, stressing that the Parliament, while legally entitled to adopt a new constitution, could not do so without fully taking into account the views expressed by the people.

13. In order to help stave off a crisis around the constitutional review, my Special Representative in Burundi, Parfait Onanga-Anyanga, met with several senior political leaders, including the President of the National Assembly and the President of ADC-Ikibiri, throughout November and early December. On 18 December, the

Chair of the Burundi configuration of the Peacebuilding Commission, Paul Seger of Switzerland, wrote to the President of the National Assembly noting that the constitutional review process would benefit from broad and inclusive consultations, while offering the support of the Commission to contribute to the success of the constitutional revision process.

14. In the light of considerable domestic and international concern, the President of the National Assembly convened a workshop on 19 and 20 December to hear the views of all political parties and civil society on the constitutional review. At the workshop, which was attended by political parties and other actors, the majority of the participants called for a limited constitutional amendment, focusing only on those provisions in the Constitution that enjoyed broad consensus at the workshop and postponing the discussion of contentious areas, which included many substantive provisions that would affect decision-making and the structure of Government, until after the 2015 elections.

15. On 16 October, Bernard Busokoza of the UPRONA party was appointed First Vice-President, replacing Thérence Sinunguruza, also a member of the UPRONA party, who was forced to resign from the Government on 14 October after losing his party's support. Mr. Sinunguruza was accused by his party of opposing ongoing talks to reunite UPRONA and of fomenting divisions among the UPRONA leadership to further his personal interests. During his acceptance speech, Mr. Busokoza declared his intention to work in the interests of all Burundians and prioritize the reunification of his party, the amendment of the Constitution and the revision of the electoral code.

16. On 9 December, the Vice-President of Sahwanya-FRODEBU and a former Vice-President of Burundi, Frédéric Bamvuginyumvira, was arrested for allegedly encouraging debauchery, adultery and attempting to bribe a law and order official. While the first two charges were dismissed, the attempted corruption charges were upheld. On 12 December, senior officials of Sahwanya-FRODEBU called for his immediate release, accusing the ruling party of trying to cripple the leadership of ADC-Ikibiri ahead of the 2015 elections.

17. In response to the letter dated 13 April 2013 from President Nkurunziza to me, in which he requested United Nations support for the 2015 elections, I deployed a needs assessment mission to Burundi from 2 to 12 September 2013. The mission noted that the 2015 elections would be a test for Burundi's peace consolidation efforts and stability, underlining the need for all stakeholders to create an environment conducive to credible, inclusive and peaceful elections. The mission concluded that United Nations electoral assistance to Burundi should be regularly reassessed against progress made by the country in implementing proposed reforms and in improving the pre-electoral environment. Such assistance should be provided in an integrated manner through BNUB, the United Nations Development Programme (UNDP) and other United Nations entities in their respective areas of responsibility from 2013 until the end of 2015. In particular, the mission noted that United Nations electoral assistance should be funded through a UNDP-managed basket fund and focus on reinforcing the capacities of the Independent National Electoral Commission to administer the elections.

B. Security and stability

18. The security situation across the country remained stable. However, crime, especially arson, kidnapping, assault and theft, increased in 2013, often as a result of worsening economic conditions and increased unemployment.

19. The threat of a possible terrorist attack remains a cause of concern in Burundi as the country is a troop contributor to the African Union Mission in Somalia. On 25 September, the national police conducted a search operation in four provinces, including in Bujumbura Mairie, in connection with the 21 September terrorist attack on the Westgate Mall in Nairobi. More than 300 people were arrested, and military uniforms and weapons were seized during the operation. Search operations continued in October, leading to several arrests.

20. A slight reduction was noted in the number of armed confrontations between Government security forces and armed opposition groups, including FNL remnants, Congolese militia groups and criminal elements, decreasing from a monthly average of about seven in 2012 to four in 2013. Kibira forest and the provinces of Cibitoke and Bubanza, which border the Democratic Republic of the Congo, were the scenes of the most significant confrontations.

21. BNUB continued to support the professionalization of security and defence forces through programmes implemented by bilateral partners in cooperation with the Government. In partnership with national counterparts, about 1,900 members of the Forces de défense nationale were trained on human rights, while 60 officers were trained to become human rights trainers. Specialized training sessions were also organized for about 45 officers in the national intelligence service on judicial issues, training of trainers, human rights and governance.

22. Alongside other partners, BNUB provided technical advice regarding the development of the strategic plan for the Ministry of Public Security, which was adopted by the Government in June 2013. Together with the defence review for the Ministry of Defence, which has yet to be completed, the strategic plan will provide the baseline for reforms in FDN and the national police.

23. The second national voluntary disarmament campaign, which had been planned with support from UNDP and BNUB, was officially launched on 11 November, with the Law on Small and Light Weapons having been amended on 6 November to allow for a grace period of three months for those who were still holding weapons illegally. BNUB also sponsored a workshop on 25 and 26 September on the role of women in the second disarmament campaign, which led to the creation of a network of women from the defence, security forces and civil society, in order to advocate for and increase women's participation in the disarmament process.

C. Transitional justice

24. No significant progress has been made towards the establishment of a truth and reconciliation commission since a draft law on such a commission was transmitted to the Parliament in December 2012. In an address to the nation on 26 August 2013, President Nkurunziza declared that the truth and reconciliation commission would be put in place by the end of the year. In addition, progress in establishing a special tribunal has been slow.

25. In preparation for the eventual adoption of the draft law on the truth and reconciliation commission, BNUB organized awareness-raising and capacity-building workshops for key stakeholders, including members of Parliament and civil society. A workshop for representatives of the National Assembly was held on 18 April and another one for Senators on 27 November. The workshops focused on international norms and standards relevant to the adoption of laws in that area. The workshops also disseminated the outcome of the 2009 national consultations that had captured the views of Burundians regarding transitional justice mechanisms.

D. Governance and institution-building

26. Given the slow progress in implementing the national strategy on good governance and the fight against corruption, the Council of Ministers acknowledged on 23 May the need to accelerate implementation. In 2013, the Anti-Corruption Brigade received 300 complaints, of which 247 were transmitted to the Parquet général at the Anti-Corruption Court for appropriate action. During the period under review, the Anti-Corruption Brigade recovered 1.2 billion Burundi francs that had been deposited at the Public Treasury. From January to November 2013, the Anti-Corruption Court received 205 complaints, of which only 32 were prosecuted. For the third year in a row, Burundi improved its ranking in the "ease of doing business" global report, rising from 159th to 140th position. At the same time, the 2013 Transparency International report ranked Burundi 157th of 175 countries in its Corruption Perceptions Index.

27. The Office of the Ombudsman continued to play an important role in defusing social tensions and resolving conflicts arising from land disputes, the abuse of power in the public administration, the enforcement of legal judgements and financial embezzlement. In 2013, the Office received 131 complaints and dealt with 140 cases.

28. The handling of many land disputes by the Commission nationale des terres et autres biens during the reporting period has been without controversy. However, the implementation of some of its decisions has elicited violent responses from the public. This was the case on 26 March when the Commission faced resistance from the local population while trying to evict two residents from houses in Bujumbura Mairie. While Commission staff were accompanied by a significant national police force, the residents were supported by a group of local youths. The expulsions were condemned by opposition leaders as a violation of the Arusha accords. At a workshop on the Commission held in Bujumbura on 24 June, President Nkurunziza stressed the need for the Commission's work to be guided by the Arusha accords, including the principles of promotion of justice, reconciliation and social cohesion. On 23 and 24 October, the Council of Ministers adopted two draft laws on the mission, composition, organization and functioning of the Commission, and on the establishment of a special tribunal to deal with land issues, which have arisen as a result of conflict in Burundi. The draft was widely criticized by opposition political parties and civil society actors, who expressed concern that a specialized court might lack objectivity. On 28 December, the draft law was adopted by the majority CNDD-FDD, backed by Sahwanya-FRODEBU. Parliamentarians of UPRONA and those representing the Batwa community walked out in protest.

29. BNUB continued to support the strengthening of oversight institutions, notably the Parliament, the Office of the Ombudsman, the Anti-Corruption Brigade and non-governmental organizations active in the fight against corruption. BNUB also sponsored the elaboration of an internal manual and a code of conduct for the Anti-Corruption Brigade and, on 19 and 20 March, funded a sensitization workshop organized by the Anti-Corruption Brigade in Kayanza for civil society organizations, civil servants, and national police and military officers. Further, BNUB supported two workshops on how to improve collaboration between non-governmental organizations and Government institutions in the fight against corruption; two anti-corruption awareness-raising workshops organized by the Conseil national des églises; and one awareness-raising campaign on good governance and accountability at the decentralized level organized by the non-governmental organization Observatoire de l'action gouvernementale.

E. Rule of law

30. In the course of 2013, some positive developments were registered in the justice sector. New court regulations, which BNUB had been supporting since 2008, were adopted on 12 June 2013. Some of the provisions are expected to contribute to the improvement of the performance of the country's courts. A new criminal procedure code, which conforms to international standards, was also promulgated and will enhance respect for the right of victims and defendants and improve oversight by prosecutors of the judicial police.

31. However, the lack of progress in establishing an independent judiciary remains a concern. The National Conference on Justice (Etats généraux de la justice) — a national forum to address judicial challenges, including the independence of the justice system, in a transparent and inclusive manner — was held in Gitega from 5 to 9 August. The Conference, which was supported by BNUB, UNDP and bilateral partners, brought together 350 participants from the Government, civil society organizations, judicial institutions, political parties and partners. However, the Conference failed to adopt the recommendations guaranteeing the independence of the judiciary. A follow-up committee to the Conference has yet to be established.

32. BNUB continued to support the Ministry of Justice particularly on improving judicial independence and accountability. In collaboration with UNDP, BNUB worked to finalize the strategic plan of the Conseil supérieur de la magistrature and organized training on judicial ethics for more than 196 magistrates from the higher courts. It also supported judicial oversight bodies by developing new inspection tools, organizing pilot inspections and helping judicial inspectors to draft reports. BNUB, as part of the Ministry of Justice committee against corruption, also supported the development of the strategic plan on combating corruption in the justice sector, in addition to finalizing the ongoing training programme for magistrates.

33. In the area of corrections, BNUB assisted the Ministry of Justice in rehabilitating a number of prisons, revising the prison legal framework and drafting a corrections policy. However, serious challenges remain in this area, including overcrowding, lack of resources and the absence of a unified organizational structure under the Ministry of Justice.

F. Human rights

34. The human rights situation in Burundi continues to be a cause for concern owing to recurrent reported cases of extrajudicial killings, as well as acts of intimidation, harassment and violence allegedly committed by members of the Imbonerakure. The impunity that many perpetrators enjoy also remained an issue of major concern.

35. The Independent National Commission on Human Rights continued to contribute to strengthening the culture of human rights, expanding its reach to the population with the establishment in May 2013 of three regional offices in Ngozi, Gitega and Makamba. The regional offices were funded by the Peacebuilding Fund and donors. As a follow-up to the opening of those offices, BNUB organized a series of workshops to explain the mandate, role and functions of the Commission and to build partnerships between the Commission, local administrations, civil society actors and the local population. On 14 May 2013, in recognition of its crucial role in promoting and monitoring the effective implementation of international human rights standards in Burundi, the Commission was granted "A" status, valid from 2012 to 2017, by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights in Geneva. Between January and July 2013, the Commission received 102 cases and conducted investigations into 84. However, major challenges remain, including in providing services throughout the entire national territory and in building sufficient capacity to carry out consultative functions, conduct the effective monitoring of economic, social and cultural rights, as well as of cases of gender-based violence, and utilize effective assessment techniques.

36. The number of extrajudicial killings increased slightly, from 30 in 2012 to 35 in 2013 as documented by BNUB. However, none of the killings were found to be politically motivated. During the same period, BNUB documented 125 cases of torture and other cruel, inhuman and degrading treatment, most of which were perpetrated by the national police and local administrators. In 13 of those cases, law enforcement actors were accompanied by elements of the Imbonerakure. Impunity remained a major problem in Burundi; for instance, only 16 of the 61 cases of extrajudicial killings documented by BNUB in 2011 have so far been tried in a court of law. Ten perpetrators were convicted and received sentences ranging from 20 years to life in prison; six were acquitted; and four cases were dismissed owing to lack of evidence. Investigations are continuing on the remaining cases.

37. Victims and witnesses are at times reluctant to testify for fear of reprisal from alleged perpetrators, notably when they are high-ranking members of the security forces. In an effort to help to address that challenge, BNUB organized a workshop in Bujumbura on 7 May 2013 for the adoption of a strategy on the protection of victims and witnesses in Burundi. As a follow-up to the workshop, a study on protection mechanisms was conducted between February and May 2013 to identify the country's needs in that area and to provide proposals for the development of a draft law on victims and witness protection.

38. Civil society organizations continued raising awareness on human rights and, with the support of BNUB, improved their monitoring and reporting capacities. BNUB also worked closely with the Ministry of National Solidarity, Human Rights and Gender to help the country to meet its reporting obligations to the human rights

treaty bodies and to implement the recommendations of the universal periodic review. The Ministry, with the support of BNUB, is drafting a legal framework for the protection of human rights defenders.

G. Regional integration

39. Despite continuing to strengthen its regional relations, Burundi faced challenges in deepening its regional integration within the framework of the East African Community. In response to the series of tripartite summits of the East African Community, held by the Presidents of Kenya, Rwanda and Uganda, to which Burundi and the United Republic of Tanzania were not invited, the Government of Burundi issued a communiqué on 27 September emphasizing that decisions on East African Community projects should be reached by consensus, in line with the Treaty for the Establishment of the East African Community. The Government also announced that Burundi would not participate in programmes in whose design and implementation it was not involved.

40. In a positive development, Burundi attended the 15th Ordinary Summit of East African Community Heads of State held in Kampala on 30 November, which approved the protocol on the establishment of the East African Monetary Union and recommended that the single customs territory system commence on 1 January 2014. Throughout the reporting period, BNUB continued to provide support to the Ministry of External Affairs and International Cooperation through the organization of capacity-building activities on a range of pertinent matters, including the harmonization of Burundian laws with East African Community legislation.

41. Burundi also hosted two meetings of the Parliamentary Forum of the International Conference on the Great Lakes Region from 11 to 13 November and the meeting of Ministers for Foreign Affairs of the Economic Community of the Great Lakes Countries held on 9 and 10 May, which agreed to establish a regional court with jurisdiction over transnational crimes in the Great Lakes region.

H. Social and economic development

42. The economy of Burundi was projected to grow by 4.8 per cent in 2013, with inflation declining from a peak of about 25 per cent in March 2012 to 8.2 per cent in late May 2013. At the same time, the 2013 national report of Burundi on the Millennium Development Goals showed that Burundi was likely to achieve only 1 of 18 initial targets. Since the State budget depends heavily on external financing, the crisis in the euro zone, among other things, led to lower budgetary support starting in early 2013. The Government adopted fiscal and budgetary measures to preserve the sustainability of public finances, including the recovery of value-added tax on food and petroleum products.

43. In a follow-up to the conference held in Geneva on 29 and 30 October 2012 for Burundi's development partners, the Government of Burundi organized two conferences, on 15 and 16 July and from 28 to 30 October, with support from BNUB, UNDP, the African Development Bank, the World Bank and the International Monetary Fund. Both conferences aimed at helping to strengthen cooperation between the Government and its bilateral and multilateral partners and produced specific plans to implement Burundi's poverty reduction strategy. The

second conference, which focused on investments in governance, peace consolidation, energy, environment, regional integration and public health, saw donors pledge $1.75 billion for various projects and programmes. Overall, the Government expressed satisfaction with the delivery of the Geneva pledges, estimated at 52 per cent, and committed to pursue the reforms recommended at the conference held in Geneva and the two follow-up conferences.

44. As a result of renewed hostilities in eastern Democratic Republic of the Congo in 2013, the Office of the United Nations High Commissioner for Refugees (UNHCR) in Burundi registered some 7,000 asylum seekers from South Kivu as at October 2013. At the end of 2013, about 55,600 refugees were expected to be registered. UNHCR is currently working with resettlement countries on a multi-year plan aiming at the resettlement of 10,000 Congolese refugees from Burundi. At the same time, legal frameworks for the repatriation of Burundian refugees remaining in countries of asylum in the region are being finalized.

45. Since July 2013, between 35,000 and 40,000 Burundian migrants illegally residing in the United Republic of Tanzania have been deported to Burundi by the Tanzanian authorities. Since the majority of that population is returning to areas with deep socioeconomic challenges, including places where former Burundian refugees were recently reintegrated, there are serious risks of a long-term impact on the coping capacity of the receiving communities. On 26 August, President Nkurunziza met with President Jakaya Kikwete in the United Republic of Tanzania to discuss bilateral issues, including the expulsion.

46. UNDP assisted the Government and communities in developing and implementing the national strategy on socioeconomic reintegration for people affected by conflict. UNDP also supported the implementation of 174 projects to rehabilitate social infrastructure and the creation of 14,647 short-term jobs. The programme was expanded recently to support the reintegration of 35,000 returnees from Mtabila camp in the United Republic of Tanzania.

III. Cross-cutting issues

A. Gender

47. In an effort to strengthen medical, psychological, judicial and social support for victims of sexual and gender-based violence, the Government adopted a draft law in June 2013 to strengthen the protection of victims and improve prevention. In addition, the new criminal procedure code promulgated in April 2013 introduced special sections on sexual and gender-based violence in the courts and public prosecutor offices while also allowing civil society organizations to subrogate victims before the courts at both the national and local levels.

B. Child protection

48. About 20,000 Burundian children were repatriated and another 20,000 expelled from the United Republic of Tanzania during 2013 as part of the wave of expulsions from the United Republic of Tanzania (see para. 45 above). The United Nations is providing support to the Government for birth registration, access to

water and the health and education of returned children, but the sustainable reintegration of the children remains a challenge that the Government of Burundi has yet to address.

49. The Council of Ministers adopted a national child protection policy in March and minimum standards on children living in institutions and deprived of family care in May. Following a presidential decree on 5 June, the National Children's Forum was launched on 12 June, the Day of the African Child, and 34 children, representing all provinces of the country, were elected as members. In addition, more than 1,000 child protection committees have been functioning at the community level in order to prevent violence against children and provide care for vulnerable children. Despite such significant progress, strengthening the capacity of the country's social welfare workforce and adopting the Child Protection Code remain urgent priorities to ensure the protection of child rights and care in Burundi.

C. Activities related to the Peacebuilding Commission

50. The Chair of the Burundi Configuration of the Peacebuilding Commission continued to support the work of my Special Representative and engaged the Government and key partners in the follow-up to the 2012 conference held in Geneva for Burundi's development partners. The Chair was actively engaged on the Burundi dossier with the members of the Burundi configuration both in New York and during visits to Burundi in January, June and October 2013. During his visit in October 2013, the Chair attended the second follow-up meeting to the development partners conference and emphasized the need to address key peace consolidation challenges, including the constitutional review process, the revision of the electoral code and violence related to youth wings affiliated with political parties.

51. On 3 December, my Special Representative co-signed the peacebuilding priority plan for Burundi with the Minister of External Relations and International Cooperation. The plan will provide funding for critical areas to foster the consolidation of peace and democracy in the run-up to the 2015 elections, including social cohesion and national dialogue, youth participation in political and social initiatives, human rights, and the resolution of land disputes. The plan is expected to be submitted to the Forum politique for information in January 2014 before being officially submitted to the Peacebuilding Support Office for review and approval. The implementation of the plan will be managed by a local joint steering committee, which will be co-chaired by the Government and the United Nations and include members from the Government, the United Nations, international partners and civil society.

52. The ongoing reintegration project under the second Peacebuilding Fund tranche delivered 86 per cent of its activities by 30 October and was extended until March 2014. Carried out by several United Nations funds and programmes, the project focuses its work in the three provinces of Bujumbura Rural, Cibitoke and Bubanza, where there is a high concentration of ex-combatants, internally displaced persons and returnees. Its objective is to consolidate peace and rebuild social cohesion. An independent evaluation commissioned by the Peacebuilding Support Office took place in November to assess the progress made through Peacebuilding Fund projects since 2007, and its findings are expected in early 2014.

IV. Strategic assessment

53. In its resolution 2090 (2013), the Security Council took note of the progress made in the implementation of the BNUB mandate and in Burundi's peace consolidation efforts, as assessed against the benchmarks for the future evolution of BNUB into a United Nations country team presence. The Council requested that I provide a report reflecting particularly the outcome of the strategic assessment mission that I had indicated my intension to deploy to Burundi in the course of 2013. In a note verbale dated 16 August 2013, the Government of Burundi called for the termination of the BNUB mandate on 15 February 2014, expressed the hope that the strategic assessment mission would "meet the Government's views", and conveyed its wish to see BNUB hand over its responsibilities to the United Nations county team.

54. The strategic assessment was conducted from September to December, in a process led by the Department of Political Affairs through the Burundi Integrated Task Force, which included representatives of relevant departments, offices, agencies, funds and programmes. It comprised an analysis phase, followed by a field mission, in which a multidisciplinary team held consultations with representatives of the Government of Burundi, political actors, civil society, the African Union, the International Conference on the Great Lakes Region and regional and international partners. Subsequently, I consulted President Nkurunziza and regional leaders on the findings of the strategic assessment before the findings and recommendations were finalized.

55. The strategic assessment mission found that despite the remarkable progress Burundi has achieved in recent years, the country continues to experience considerable tensions in its efforts to consolidate democracy and the rule of law. The political scene remains deeply polarized, with the Government using its prerogatives and dominance in Parliament to enact laws that infringe upon political and civil rights, thus contributing to a shrinking of political space, and with the opposition threatening to take steps to confront the Government.

56. In respect of human rights, the strategic assessment mission found that, despite increased national capacities, there was limited progress in the prosecution of alleged perpetrators of serious human rights violations. Limited space for political dialogue negatively affected the accountability and effectiveness of various sectors, notably security institutions and the judiciary. Insufficient efforts have been made to address past grievances, and the delay in the establishment of transitional justice mechanisms contributes to the entrenchment of impunity.

57. Despite sustained financial support by donors, the strategic assessment mission found that the socioeconomic peace dividends Burundians expect have been slow to materialize. The country's social and economic indicators are among the lowest in the world, with three quarters of Burundians living in extreme poverty. Particular attention will be required to mitigate the risk that the economic situation might exacerbate existing tensions, leading to renewed violence.

58. Against such a background, the strategic assessment mission noted that the general elections in 2015 are widely regarded as a potential trigger for violence. While there are opportunities ahead, the road towards 2015 will not be smooth; indeed, the consolidation of democracy and the rule of law may drive conflict as Burundian stakeholders struggle to find a consensual way forward. Burundian

authorities at all levels expressed appreciation for the work of BNUB. While the President and ruling party insisted that BNUB had fulfilled its mandate, the opposition and civil society organizations pressed for its continuation.

59. The strategic assessment mission concluded that the continued presence of BNUB through the 2015 elections remains the preferred option for accompanying Burundians in the consolidation of peace. However, taking into account the expressed wish of the Government to draw down BNUB, while at the same time recognizing that the United Nations country team does not currently have the capacity to assume all BNUB functions, two further options could be envisaged. The second option would entail the draw down of BNUB, which would be replaced by a new peacebuilding mission with a more focused mandate, as an interim step to preparing the ground for a transition of functions to the United Nations country team. The third option, which the Council may wish to consider as a last resort, would envisage the appointment of a special envoy to promote and facilitate dialogue between national actors and mechanisms for broad-based participation in political life. The special envoy would also coordinate international efforts to ensure an environment conducive to the holding of free and open elections in 2015. The second and third options would have significant programmatic, resource and staffing implications for the United Nations in Burundi. In particular, the United Nations country team would require sufficient time and resources to develop the capacity to effectively assume the core peacebuilding tasks of BNUB, including human rights, transitional justice and other areas of governance. A special funding appeal would need to be launched to address these capacity and programming gaps in a timely manner.

60. In view of the above, I met with President Nkurunziza in Paris on 6 December to discuss the future of BNUB, noting that the findings of the strategic assessment mission, largely shared by the international community, pointed to the continuing need for a political presence of the United Nations through the 2015 elections. During the meeting, President Nkurunziza reiterated his view that a further renewal of the BNUB mandate would have a negative impact on partners and investors, stressing that Burundi did not want to continue to be perceived as a post-conflict country.

61. Following the meeting and a further exchange between my Special Representative and senior officials of the Foreign Ministry, I proposed to President Nkurunziza that the future political engagement of the United Nations in Burundi be modified to concentrate on the following main areas: (a) political dialogue; (b) electoral process; (c) human rights; (d) transitional justice mechanisms and support to the justice sector; and (e) capacity-building for the reform of the security sector. At the same time, the United Nations country team would take on providing support to the Government of Burundi in promoting development, strengthening governance and deepening regional integration. I also proposed that a joint transition plan between the Government of Burundi and the United Nations be developed to determine, starting in February 2014, the practical modalities for the transition of the United Nations engagement in Burundi towards activities related to development, under the direct responsibility of the United Nations country team.

62. President Nkurunziza, in his letter to me dated 31 December, expressed appreciation for the multifaceted support provided by the United Nations to the Burundian people. However, in contrast to my proposal for a future United Nations

political presence in the country, he noted that Burundi had registered some positive developments in 2013 and that "the transfer of responsibilities from BNUB to a United Nations country team could take place as of 15 February 2014, in line with resolution 2090 (2013)". The President also suggested that future political engagement could be left to the agencies, funds and programmes of the United Nations system. In that context, the President stated that establishing a transitional structure, such as a follow-on United Nations mission, would be "inopportune" if the aim was to immediately facilitate the transfer of responsibilities from BNUB to a country team.

63. On 7 January, my Special Representative, together with his Deputy, who also serves as Resident Coordinator, met with his Government counterparts and advised them that the United Nations country team was currently neither prepared nor equipped to assume BNUB responsibilities. He warned that their abrupt interruption could have a detrimental impact on peace consolidation efforts in Burundi. On 12 January, he conveyed the same message directly to the Minister of Foreign Relations and International Cooperation, Laurent Kavakure. During his visit to Burundi, from 13 to 17 January, the Chair of the Burundi configuration of the Peacebuilding Commission, Mr. Seger, also called on the Government of Burundi to ensure that the transition to the United Nations country team would take place within a reasonable time frame of at least 12 months. On 15 January, Mr. Kavakure addressed a letter to me, in which he referred to the exchange of letters between his President and me, as described in paragraphs 61 and 62 above. In the letter, Mr. Kavakure noted that his Government would be pleased to see the draw down of BNUB within a transitional period of six months, from 16 February, in order to allow for a closure of the ongoing political programmatic activities of BNUB and to enable the transfer of its responsibilities to the United Nations country team.

V. Observations and recommendations

64. Burundi has made substantial progress, overcoming formidable challenges since the end of the civil war. The country has successfully managed a delicate transition period and is consolidating its democratic institutions. Today, Burundi enjoys peace and security, regional relations are deepening and development efforts are gathering pace.

65. However, the significant gains are far from irreversible. Now, more than ever, the Government of Burundi must demonstrate visionary leadership by continuing to promote the spirit of dialogue and consensus enshrined in the Arusha accords, which has helped Burundians to address the structural causes of conflict in their country. Given Burundi's history and social make-up, majority rule and a winner-takes-all mentality could erase such hard-won gains.

66. The presidential elections in 2015 will be a litmus test for the country's long-term stability. Stakeholders across the political spectrum have laid the groundwork for the elections in the March 2013 electoral road map. This includes agreeing to the electoral reforms required to ensure that the elections are fair, inclusive and transparent, with results that are accepted by all. I call upon the Government and all political stakeholders to fully implement their respective commitments as contained in the road map.

67. A strong and healthy democracy needs a vibrant opposition. I therefore welcome the return to Burundi of political leaders who were in exile, which marked the normalization of the country's political life since the boycott of the elections in 2010. I note the increasing tensions and intra-party disputes facing some of Burundi's political parties. I urge all political parties and actors to refrain from using incendiary language and to peacefully resolve their differences through dialogue, in the interest of their own parties and for the sake of multiparty democracy in the country.

68. I am convinced that the period ahead represents an opportunity for Burundians to actively and peacefully participate in the political life of their country in order to build a better and more stable future for all. For that, Burundians across the political spectrum must be free to exercise their civil and political rights without fear of intimidation or violence. I urge the Government of Burundi and political parties to launch a public campaign against political violence ahead of the 2015 elections.

69. As the country prepares for the 2015 elections, I am troubled by the acts of violence committed by youth affiliated with political parties and by the apparent impunity they seem to enjoy. Acts of political violence, including those committed by these youths, must be prosecuted. I urge the Government and political parties to take all necessary measures to ensure that youth are not exposed to political manipulation that could lead to acts of violence and intimidation. I call upon youth to collaborate with other citizens in dedicating their energy, talent and unique perspective and experience to the important processes of reconciliation and development.

70. I welcome the constructive atmosphere that prevailed during the consultations held on 19 and 20 December on the constitutional review process chaired by the President of the National Assembly. I encourage the Burundian authorities to resist the temptation to rush such an important undertaking. Should the process continue, I call upon Burundi's political parties and other stakeholders to place national interests above all other considerations and to seize the opportunity to enhance the role of democratic institutions and promote the rule of law, justice, good governance and reconciliation.

71. While there were no politically motivated extrajudicial executions in 2013, I remain concerned that there continues to be impunity for human rights violations, including sexual violence and rape. I urge the Government to pursue its efforts to combat impunity by ensuring that those responsible for serious human rights violations are brought to justice and by scaling up the fight against gender-based violence. I appeal to the Burundian authorities to apply a strict zero-tolerance policy regarding human rights abuses committed by the security forces. I call upon them to make every effort to further professionalize the security forces and instil discipline in them, particularly the national police. I also urge partners to continue to support security sector reform in order to improve overall accountability and performance.

72. I call upon the Government to ensure that efforts to promote reconciliation and healing take root, including through the establishment of the much-anticipated truth and reconciliation commission. National and local efforts to promote conflict prevention and resolution and foster social cohesion are also required to prevent the erosion of Burundi's hard-won gains.

73. I am encouraged by the commitment of the Government to addressing the complex issue of land tenure, which is essential for lasting peace and stability. At the same time, I am concerned that the perception of unevenness created by some of the decisions of the Commission nationale des terres et autres biens could foster communal tensions with broader economic and public order ramifications, particularly when political competition intensifies during the electoral period. In their effort to promote justice, I call upon the Burundian authorities to handle land grievances and disputes in a non-partisan manner and to also address land tenure in the broader context of socioeconomic development, bearing in mind the need to foster reconciliation and national cohesion.

74. The international community has made a significant investment in Burundi. It must continue to play a constructive role through enhanced coordination, particularly for the preparations for the elections and support for security sector reform. More broadly, the significant progress Burundi has made in furthering peace and stability must be reinforced by socioeconomic development. I call upon the Government to take additional measures to improve living standards, access to health care and other social services, as well as to reduce unemployment. I encourage the Peacebuilding Commission to continue its efforts to sustain international support and mobilize resources for Burundi. I urge development partners to fill the funding gap for the implementation of Burundi's second poverty reduction strategy, including, and as appropriate, through targeted budget support. Further support to the United Nations country team through the United Nations Development Assistance Framework process is also critical.

75. I have considered the findings of the strategic review and the limited progress made towards meeting the benchmarks contained in the annex to the present report, as well as the conviction of the United Nations country team that it is unable to absorb BNUB tasks at present. I have also given serious consideration to the views expressed by the Government, as indicated in paragraphs 53 to 63 above. I am convinced that a United Nations political presence in Burundi remains necessary to further accompany the country in consolidating peace by facilitating dialogue, monitoring and reporting human rights, and establishing transitional justice mechanisms until after the presidential elections in 2015. I appreciate the wish of the Government of Burundi, as conveyed by President Nkurunziza, to assert greater national ownership over its peace consolidation process. However, the Government's request that BNUB draw down within six months as of 16 February 2014 poses a difficult dilemma, given the continuing need for a United Nations political presence whose functions cannot be entirely covered by the United Nations country team. I therefore recommend that the BNUB mandate be extended for a further period of 12 months. Should the Government persist in its position that such an extension is not acceptable, however, the Security Council may wish to consider the other options outlined in paragraph 59 above.

76. I wish to thank President Nkurunziza and his Government for their continued cooperation with the United Nations. I am also grateful to Burundi's development partners for their critical assistance to the country's peacebuilding process. Finally, I would like to express my sincere gratitude to all United Nations personnel who, under the leadership of my Special Representative, Parfait Onanga-Anyanga, have continued to show commitment and dedication to the consolidation of peace in Burundi.

Annex

Benchmarks for the United Nations Office in Burundi pursuant to Security Council resolutions 1959 (2010) and 2027 (2011)

I. Democratic process

Benchmark: Continuing progress in the consolidation of democracy and the resolution of political differences through dialogue

Baseline through 2011: A spirit of dialogue and power-sharing underpinned the 2000 Arusha Peace and Reconciliation Agreement for Burundi (hereinafter "Arusha accords") and was enshrined in the Constitution of Burundi of 2005 and in the composition of the Government in 2005. Observers declared that the 2010 elections had been conducted in conformity with international norms, but they were boycotted by a number of opposition parties, whose leaders subsequently went into exile. The boycott continued to affect political life in Burundi in 2011, and tensions deepened between the Government and the Alliance démocratique pour le changement-Ikibiri (ADC-Ikibiri) grouping of extraparliamentary opposition parties. Although both sides had confirmed their readiness to collaborate, political dialogue throughout 2011 remained stalled, and no formal meetings were held between the Government and the extraparliamentary opposition parties.

Developments in 2012:[a] 2012 was marked by an absence of dialogue and little progress in the preparations for the 2015 elections. The law on the status of the political opposition was passed without the consultation of all the parties. The Government established a new Independent National Electoral Commission, with objections registered from opposition parties concerning its composition. Throughout 2012, various opposition party meetings were prohibited by authorities.

Indicators of progress	*2013 assessments*
1.1. Increasingly democratic, accountable, representative and effective State institutions	• The boycott of the 2010 elections by several political parties continued to affect Parliament, which is composed of only three parties (Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie (CNDD-FDD), Union pour le progrès national (UPRONA) and Front pour la démocratie au Burundi-Nyakuri (FRODEBU-Nyakuri)), largely dominated by CNDD-FDD • The number of question-and-answer sessions held with members of the Government in Parliament decreased to 11 (2012: 24; 2011: 35)

[a] The section summarizes the 2012 assessments of the benchmarks, as presented in the annex of the previous report (S/2013/36).

1.2. Continuing dialogue between political parties and the Government	• As in 2012, six official interactions took place between parties in power and the extraparliamentary opposition • The workshop on electoral lessons learned held in Bujumbura in March, the workshop on the revision of the electoral code held in Kayanza in May, and the assessment workshop held in Bujumbura in November on the implementation of the electoral road map deepened and strengthened political dialogue between political parties and actors • Only a select number of political parties were invited to the Permanent Forum for Dialogue among the Political Parties • As in 2012, various political party meetings were prohibited or obstructed by the Government throughout 2013. The parties affected were mainly members of the opposition coalition ADC-Ikibiri, Mouvement pour la solidarité et le développement (MSD) and supporters of Agathon Rwasa
1.3. Improved legal framework for electoral process management	The Government organized, with the support of the United Nations Office in Burundi (BNUB), a workshop in May 2013 on the revision of the 2009 electoral code. The workshop proposed a series of amendments, most of which were accepted by the Government. The new code has yet to be passed by the National Assembly
1.4. Increasing institutional capacity to move towards the 2015 elections with appropriate international financial and technical support	The Independent National Electoral Commission organized ad hoc meetings with political parties and civil society. In November, the Commission agreed to hold regular meetings with opposition parties and civil society organizations
1.5. Increasing national ownership over the electoral process	• A needs assessment mission was organized by the United Nations, in close collaboration with the Government, particularly the Independent National Electoral Commission, to determine the required framework and levels for international support to the elections in 2015 • The Government and the United Nations signed a project document in November to create, among other things, an electoral basket fund

1.6. Political consensus among all stakeholders on movement towards the 2015 elections	• In October 2013, the Council of Ministers adopted a draft law containing wide-ranging amendments to the Constitution without prior, broad-based and inclusive consultations. The draft amendments change decision-making parameters and the structure of the Government. Following domestic criticism and increased tensions, a consultative workshop on the constitutional review was organized by the National Assembly in December • The Government and the International Foundation for Electoral Systems organized a workshop in November on creating a political environment conducive to the holding of free and open elections in 2015. A draft code of conduct for the elections was discussed without reaching a consensus over a final version • On several occasions, the extraparliamentary opposition indicated that it will not boycott the elections in 2015
1.7. Increasing percentage of the population believe in the credibility of the elections	Data not available in 2013

II. Security and stability

Benchmark: A strengthening and sustainable security structure enabling Burundi to respond effectively to domestic and international security concerns while respecting global norms and rights

Baseline through 2011: A significant number of small arms remained in circulation (100,000 households according to the Small Arms Survey in 2007), notwithstanding the first civilian disarmament campaign in 2009 and efforts made through the earlier disarmament, demobilization and reintegration programme. The integration of former combatants into the Burundian National Defence Forces and the Burundian National Police, the rightsizing of both forces and their respect for ethnic proportionality greatly contributed to overall stability and security. However, human rights abuses by security forces in 2010 and 2011 highlighted the need for continued professionalization and enhanced civilian oversight.

Developments in 2012: No significant reduction in the circulation of small arms was noted yet progress was made regarding the registration of the weapons of the national defence forces. The first draft of a national security strategy was prepared but not finalized. There were only minor reductions in the rightsizing of the security and national defence forces, and the National Security Council, which was created in 2012, was hampered by the absence of a clear strategy. Human rights violations by members of the national police continued to be a source of concern.

Indicators of progress	*2013 assessments*
2.1. Progress made in civilian disarmament, and in the management and control of small arms and light weapons	• In 2013, 95 per cent of the weapons of the national police were registered and marked and 100 per cent of the weapons of the national defence forces were registered (in comparison with 60 per cent and 100 per cent in 2012, respectively)
	• The second national voluntary disarmament campaign was officially launched in November 2013
	• BNUB supported a workshop on the role of women leaders in the second disarmament campaign
2.2. Progress made in the rightsizing of the security and national defence forces	• The national defence forces were reduced by 889 and the national police by 438 personnel, bringing total numbers to 27,000 (target 25,000) and 15,388 (target 15,000), respectively
	• At the same time, the national defence forces added 981 recruits and the national police 1,070 recruits for assignments in specialized services
2.3. Increasing civilian oversight over the security and national defence forces in compliance with the current constitution, laws and regulations	• Civilian oversight over security and national defence forces remained weak
	• The National Security Council met five times in 2013. BNUB continued to provide technical support to the permanent secretariat of the National Security Council
2.4. Increasing professionalization of the security and national defence forces	• The strategic plan of the national police was completed in 2013 while the defence review of the national defence forces was not finalized
	• The Government conducted a security sector reform review, with support from BNUB and bilateral partners
	• The national security strategy was adopted by the Government in June 2013. BNUB provided training on human rights, democratic governance and judicial processes to about 2,000 members of the national defence forces, the national police and the National Intelligence Service in 2013
	• The Ministry of Defence, with the support of BNUB, conducted a workshop on human rights

2.5. Increasing confidence of the population in the service delivery of the security and national defence forces	Data not available in 2013

III. Transitional justice

Benchmark: Continuing progress in transitional justice to advance victims' rights, the fight against impunity and national reconciliation

Baseline through 2011: Transitional justice is the major remaining feature of the Arusha accords for which implementation lagged. Following broad national consultations in 2009 and 2010 and extensive work undertaken by a Government technical committee, a new draft law on the establishment of a truth and reconciliation commission was presented to Parliament in October 2011.

Developments in 2012: A revised draft law on the truth and reconciliation commission was submitted to Parliament in December. The law was not adopted. No progress was achieved regarding all other indicators on transnational justice in 2012.

Indicators of progress	*2013 assessments*
3.1. Establishment of a truth and reconciliation commission in line with the 2009 national consultations, the work of the technical committee of 2011, international standards and applicable legal instruments	• No progress was registered regarding the establishment of a truth and reconciliation commission as the draft law was not adopted in 2013 • In preparation for the adoption of the draft law on a truth and reconciliation commission, BNUB organized workshops to build the capacity of key stakeholders and to provide a platform for discussions on transitional justice
3.2. Establishment of a special tribunal in line with the 2009 national consultations, the work of the technical committee of 2011, international standards and applicable legal instruments	No progress made in 2013
3.3. Existence of a follow-up mechanism for the implementation of recommendations of a truth and reconciliation commission	No progress made in 2013
3.4. Increasing ability of the political leadership to bring about reconciliation between the victims and perpetrators of past crimes	No progress made in 2013
3.5. Increasing level of satisfaction with the transitional justice process	Not applicable in 2013
3.6. Increasing percentage of the population believing that reconciliation has been achieved	Data not available in 2013

IV. Governance and institution-building

Benchmark: Increasing State authority through legitimate, democratic, accountable and effective institutions

Baseline through 2011: Following the adoption of the 2005 Constitution, key new institutions envisaged have successively been established, including the National Communications Council (2007), the National Security Council (2008), the Permanent Forum for Dialogue among the Political Parties (2010) and the Independent National Commission on Human Rights (2011). In 2011, with assistance from the United Nations and other partners, Burundi developed a number of important strategies reflecting national governance priorities, including the national strategy on good governance and the fight against corruption. The establishment of the Anti-Corruption Brigade (2006), the Anti-Corruption Court (2006), the Office of the Ombudsman (2011) and the Burundi Revenue Authority (2011) were important institutional developments to enhance the efficiency and accountability of the Government. While corruption remained a serious concern, the beginnings of sustained improvement were evident.

Developments in 2012: 2012 saw little progress in the implementation of the national strategy on good governance and the fight against corruption. The amount of revenue collected by the Burundi Revenue Authority increased, and Burundi significantly improved its ranking in the World Bank's "ease of doing business index". The implementation of the national programme for the reform of the administration, adopted in April 2012, proved challenging.

Indicators of progress	*2013 assessments*
4.1. Increasing proportion of seats held by women in Parliament and in elected and appointed bodies at all levels	As in 2012, 32 per cent of National Assembly members, 46 per cent of Senate members, 35 per cent of ministers, 5.8 per cent of provincial governors and 32.5 per cent of communal administrators were female
4.2. Decreasing corruption in the public and private sectors	• According to Transparency International's East African Bribery Index 2013, Burundi moved from being the second least corrupt country in East Africa to the second most corrupt (index slightly decreased from 18.8 per cent in 2012 to 18.6 per cent in 2013) • In Transparency International's Corruption Perceptions Index, Burundi improved its ranking from 165th in 2012 to 157th out of 175 countries • The Anti-Corruption Brigade transmitted 247 complaints of corruption in 2013 to the Procureur général (156 in 2012) • The Anti-Corruption Court registered 205 cases in 2013 (285 in 2012). The Court delivered sentences for 169 cases in 2013 (218 in 2012)

4.3. Increasingly transparent, accountable and efficient national institutions	The Office of the Ombudsman received 131 complaints in 2013 (223 in 2012) and dealt with 140 cases (123 in 2012)
4.4. Progress made in the quality of public administration	The tax revenue collected by the Burundi Revenue Authority in 2013 was 599.2 billion Burundi francs (6.2 per cent increase compared with 2012)

V. Rule of law

Benchmark: An increasingly independent, accessible and credible justice system upholding human rights

Baseline through 2011: In 2011, the Ministry of Justice sectorial policy for the period 2011-2015 was developed, reaffirming the Government's commitment to strengthening the independence of the judiciary, enhancing good governance in the justice sector, making justice available to all and improving criminal justice. However, the document did not address reforms concerning the status of magistrates.

Developments in 2012: Implementation of the Ministry of Justice sectorial policy for the period 2011-2015 commenced in 2012. A national preparatory commission was set up to organize the National Conference on Justice (Etats généraux de la justice) while workshops were carried out throughout the country to collect the views of stakeholders on areas in need of reform. Following the implementation of a presidential pardon and release on parole, the total prison population decreased by 29.7 per cent in 2012. A draft code on judicial ethics was prepared but not adopted, and magistrates were not recruited through a competitive examination as required by law.

Indicators of progress	*2013 assessments*
5.1. Decreasing ratio of pretrial detainees to the overall prison population	The overall prison population increased by 15.78 per cent
5.2. Increasing proportion of law enforcement officials trained in rules of conduct concerning proportional use of force, arrest, interrogation, detention or punishment	65 military officers were trained as trainers on human rights and humanitarian law. Of those, 16 qualified as certified trainers and subsequently trained almost 2,000 members of the national defence forces and security forces
5.3. Increasingly simple and systematic access to the results of commissions of inquiry for those authorized	There was no commission of inquiry in 2013
5.4. Increasing number of criminals brought to justice	Data not available in 2013
5.5. Improving the management of prisons, to better comply with human rights standards	• Prison occupancy rate slightly increased from 183 per cent in 2012 (258 per cent in 2011) to 188 per cent in 2013 • 52 prison staff were trained in prison management

5.6. Progress made in the adoption and implementation of legislation on magistrates, in the professionalization of magistrates, as well as in the organization and effectiveness of the Supreme Council of Magistrates	• The draft code on judicial ethics was not adopted but instead transformed into a guide on judicial ethics • 196 more magistrates were trained on judicial ethics in 2013. As of 2013, all magistrates currently serving had been trained on judicial ethics
5.7. Progress made in the independence of the judiciary	• As in 2012, magistrates were still not recruited through a competitive examination as foreseen by law (the Government is citing budgetary constraints as the main reason) • The National Conference on Justice was held in August 2013, yet the recommendations guaranteeing the independence of the judiciary were not adopted
5.8. Increasing percentage of the population expressing confidence in the judicial system	Data not available in 2013

VI. Human rights

Benchmark: A deepening culture of protection and the promotion of human rights in Burundi

Baseline through 2011: The aftermath of the 2010 elections saw a marked increase in serious human rights violations, in many cases reportedly perpetrated by members of the security or national defence forces. In 2010, BNUB/the United Nations High Commissioner for Human Rights documented 40 cases of extrajudicial, arbitrary or summary executions and/or politically motivated killings; and 30 cases of torture (61 and 36 cases, respectively, in 2011). The establishment of the Independent National Commission on Human Rights in 2011 was an important step but concerns over case follow-up remained.

Developments in 2012: The human rights situation in 2012 was characterized by a significant decrease in the number of extrajudicial executions documented by BNUB (30 compared with 61 in 2011), of which only four were likely to have been politically motivated (about 20 in 2011). However, perpetrators in only 6 of the 30 cases were arrested and tried in a court of law, all resulting in convictions. The Independent National Commission on Human Rights opened three regional offices and investigated 480 cases, compared with only 107 in 2011.

Indicators of progress	*2013 assessments*
6.1. Increasing proportion of human rights violations — including cases of disappearances and extrajudicial killings — investigated by the judiciary, and perpetrators arrested, judged and/or serving sentences	• Of the 35 documented cases of extrajudicial executions in 2013, 27 are under investigation by the judiciary and 3 resulted in convictions

	• Of the 20 documented cases of torture in 2013, 14 are under investigation by the national police and the judiciary (6 investigated in 2012)
6.2. Increasing frequency and timeliness of reports submitted to the relevant bodies	One human rights report was submitted by the Government while two others were pending submission
6.3. Decreasing instances of torture or cruel, inhuman or degrading treatment or punishment perpetrated by an agent of the State or any other person acting under Government authority or with its complicity	• BNUB documented 35 cases of extrajudicial executions (30 in 2012) • BNUB documented 20 cases of torture (16 in 2012) • BNUB documented 105 cases of ill-treatment (57 in 2012)
6.4. Increasing effectiveness of the Independent National Commission on Human Rights, including through the establishment of a monitoring network on human rights, by civil society organizations, which contributes to the activities of the Commission	• The Independent National Commission on Human Rights received 102 cases, investigated 84 and concluded 18 between January and July 2013 (between January and November 2012, the Commission investigated 480 cases and concluded 117) • The Independent National Commission on Human Rights was officially accredited "A" status by the International Coordinating Committee of National Human Institutions for the Promotion and Protection of Human Rights in May 2013
6.5. Rolling adoption of priority international and regional human rights instruments and increasing conformity of national human rights instruments with relevant international and regional instruments	In October 2013, Burundi acceded to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
6.6. Strengthening of structures dealing with the protection of vulnerable groups	• The law on the fight against sexual and gender-based violence was adopted in June 2013 • Magistrates of the Humura Centre were trained on the treatment of cases involving sexual and gender-based violence • No cases of refoulement were reported in 2013
6.7. Progress made in ensuring freedom of the media and civil society	Five cases of violations of freedom of the press were documented by BNUB in 2013 (none were documented in 2012)

VII. Regional integration

Benchmark: Deepening regional integration for Burundi with full participation in regional political, commercial and other negotiations and improved interaction of Burundian authorities with regional cooperation mechanisms

Baseline through 2011: After its accession to the East African Community in 2009, Burundi intensified its efforts to improve economic and political ties with regional partners in 2011. Regional integration is one of the eight pillars of the country's 2025 vision.

Developments in 2012: In 2012, Burundi increased its trade with East African Community member countries and actively participated in four important East African Community meetings. The drafting of a national strategy on regional integration was commenced but not completed.

Indicators of progress	*2013 assessments*
7.1. Increasing trade between Burundi and its regional partners	Data not available in 2013
7.2. Increasing political and commercial negotiations and interactions with member States of regional economic communities	• Burundi participated in seven high-level meetings of the East African Community, one of the Economic Community of the Great Lakes Countries, two of the Economic Community of Central African States and three of the International Conference on the Great Lakes Region • In the second half of 2013, several EAC summits were organized to which Burundi and Tanzania were not invited
7.3. Increasing capacity of the Government of Burundi to take forward the regional integration process	• The Ministry of External Affairs and International Cooperation, with BNUB support, organized several workshops, including on the reduction of non-tariff barriers; border security; defence, peace and security cooperation legal frameworks; and expediting the harmonization of Burundian laws with East African Community legislation • A study to assist the Service national de législation with the revision and drafting of a code governing companies and a code governing trade was supported by BNUB
7.4. Increasing perception of benefits from regional integration on the part of the population	Data not available in 2013

VIII. Social and economic development

Benchmark: Improving living standards of the population, delivery of basic services to the most vulnerable and conditions for economic recovery

Baseline through 2011: Despite the Government's efforts, Burundi suffered from widespread poverty, land scarcity combined with high population density, food insecurity, and high youth unemployment. Although Burundi's Human Development Index has constantly increased since 2000, the country still ranked 185th of 187 countries in 2011.

Developments in 2012: Burundi's socioeconomic challenges remained unchanged. Its Human Development Index increased from 0.316 in 2011 to 0.355 in 2012, moving the country from 185th place in 2011 to 172nd place (out of 186 countries) in 2012.

Indicators of progress	*2013 assessments*
8.1. Decreasing proportion of the population living on less than $1.25 per day	• The poverty rate was 67 per cent in 2006 (no new data available for 2013) • Burundi ranks last on the 2013 Global Hunger Index (same as in 2012)
8.2. Improving enrolment and completion ratios in primary education	• In 2010/11, primary school enrolment was 96 per cent (no new data available for 2013)
8.3. Decreasing number of internally displaced persons	78,860 conflict-affected internally displaced persons remain in Burundi and have been settled in 120 sites throughout the country, awaiting durable solutions
8.4. Increasing proportion of children aged 12-23 months immunized against contagious diseases	In 2010, 83 per cent of children were completely vaccinated (no new data available for 2013)
8.5. Increasing proportion of the population with access to potable water and electricity	In 2008, access to electricity was 4.8 per cent (no new data available for 2013)
8.6. Improving youth employment rate	• Youth unemployment is estimated to be very high (no concrete data available) • The Government, with the support of the International Fund for Agricultural Development, launched a new job creation programme in June 2013 designed to create about 20,000 jobs for youth in the period from 2013-2016
8.7. Increasing number of youth and women with access to basic social services	Data not available in 2013

8.8. Improving legislative and regulatory environment favouring business and investment	Burundi was ranked 140th of 189 countries in the World Bank's 2014 "ease of doing business index" (159th of 185 countries in 2013)
8.9. Improving socioeconomic situation of refugees, repatriated persons and internally displaced persons	• 1,000 shelters were built for returnees • Access to land and land disputes remain serious obstacles to reintegration processes
8.10. Increasing percentage of population feeling that the standard of living is rising	Data not available in 2013